IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE B.PRAKASH RAO
WRIT PETITION NO : 12082 of 1992

Between:
K. Sathaiah, S/o. Narayana,
R/o. Hakeempet (V), Veldurthy Mandal, Medak District.
..... PETITIONER

AND

1 Secretary, Irrigation & CAD Department, Govt. of Andhra Pradesh, Secretariat, Hyderabad.
2 The Chief Engineer, I & D (I & B), Irrigation Department, Somajiguda, Hyderabad.
3 The District Collector, Medak District, Sanga Reddy.
4 The Revenue Divisional Officer & Land Acquisition Officer Medak Division, Medak
5 Executive Engineer, I&B Divn., Medak
6 Assistnat Director, Survey & Land Records Medak District at Sangareddy
7 Joint Collector, Medak District at Sangareddy
.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction, or writ specially one in nature of writ of mandamus directing the authorities to pass an award in respect of patta lands of the petitioner in Sy.Nos.24,27 and 28 together with agricultural well situated in Sy.No.24 of Hakeempet Village, Veldurthy Mandal Medak District which were coming under submergence of Mallakunta Tank and pay compensation under the provisions of the Land Acquisition Act by declaring the action of the respondent No.33 in deleting the said lands and well from the 4(1) notification as illegal, void and without jurisdiction and pass such other order.

For the Petitioner:MR.L.PRABHAKAR REDDY,ADVOCATE

For the Respondent Nos.1 to 7: GP FOR IRRIGATION

The Court Made the Following :

ORDER

Heard both sides. The petitioner herein claims to be the owner of the land in Survey numbers 23,24,27,28 and 29, situate in Hakeempet village, Veldurthy Mandal, Medak district, filed Writ petition *inter-alia* as against the impugned order of third respondent trying to delete the said lands and well, from the 4(1) notification issued under Land Acquisition Act, simultaneously along with the other lands for the purpose of acquisition.

The case of the petitioner is that these lands along with other lands in Survey numbers 23,29 and 30 have been acquired and subsequently land acquisition proceedings have been initiated and ultimately an award was passed, wherein it was found that the lands in Survey Numbers 24,27 and 28 are deleted and therefore, the petitioner has issued a notice and filed a detailed representation as long as on 18-8-1992 and the same is pending.

In the Counter-affidavit, filed by the respondents, it is stated that the land in Survey numbers 24,26 and 28 are recorded as Kharizkhata and therefore, the land covered in the said survey numbers, were excluded from the Land Acquisition Proposals. Further, in the said counter, it is stated that in response to the notice issued, the Executive Engineer, I.D.I.B.Medak has submitted requisition proposals in the month of March, 1989 with regard to the survey numbers 24,26 and 28.

Having regard to the same, it is unnecessary to go into other questions. It is suffice in the interest of justice to direct the respondents herein to finalise the said proposals and to take all steps as provided under Law in regard to payment of compensation.

Accordingly, the writ petition is dismissed, directing the respondents to finalise the proposals, within a period of three months from the date of receipt of this order. No costs.

ASSISTANT REGISTRAR

Hsd/bss

//TRUE COPY//

To SECTION OFFICER

1 Secretary, Irrigation & CAD Department, Govt. of Andhra Pradesh, Secretariat, Hyderabad.
2 The Chief Engineer, I & D (I & B), Irrigation Department, Somajiguda, Hyderabad.
3 The District Collector, Medak District, Sanga Reddy.
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5 Executive Engineer, I&B Divn., Medak
6 Assistnat Director, Survey & Land Records Medak District at Sangareddy
7 Joint Collector, Medak District at Sangareddy
8. 2 C.Cs. to G.P. for irrigation,High Court Buildings,Hyderabad (OUT)
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